



# **A GUIDE FOR PEOPLE WHO ARE SELF- OR FAMILY-MANAGING MEDICAID-FUNDED DEVELOPMENTAL SERVICES**

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**Please note that wherever Division of Developmental Services is referenced,  
the new name is the Division of Disability and Aging Services.**

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# **A GUIDE FOR PEOPLE WHO ARE SELF- OR FAMILY-MANAGING MEDICAID-FUNDED DEVELOPMENTAL SERVICES**

## **Introduction**

There are many tasks and responsibilities associated with the application and receipt of developmental services. This document is designed to help people who wish to self- or family-manage their services understand what tasks are required and who is responsible for seeing that those tasks are accomplished.

The *Required Tasks* outlined on page three of this document are required for *anyone* receiving Medicaid-funded developmental services. The person or organization identified as *responsible* for each task is based on the premise that the person is self- or family-managing **all** of his/her services. However, many of these responsibilities would also apply to a person who is shared-managing services – in other words, sharing management responsibilities between the person or family and a service provider.

When a person wishes to self- or family-manage his/her supports, it is important that the person, along with his/her circle of support, make a determination as to who specifically will take care of which tasks. The person or family may do the tasks him or herself, or he/she may receive assistance from others (e.g., members of his/her circle of support) to help do them or arrange to have them done. The person and the Qualified Developmental Disability Professional (QDDP) are responsible to see things get done. This includes the option of contracting with the agency to do some things. If the person is not able to do the tasks or arrange for them to be completed, and therefore is not able to self- or family-manage his/her services, it is the ultimate responsibility of the Designated Agency or Specialized Service Agency (DA/SSA) to assure that the tasks get done as required. The DA/SSA may need to determine that the person or family can no longer self- or family-manage services. If this happens, the DA or SSA will manage services when self- or family-management jeopardizes the person's health and welfare; necessary funded services are not able to be arranged or provided; or required developmental services policies, regulations and guidelines are not followed. The DA's/SSA's decision to manage services may be appealed to the Director of the Division of Developmental Services.

The Division of Developmental Services will develop an annotated list and package of relevant policies, regulations and guidelines for the DAs/SSAs to give to people who are self- or family-managing. The package will include at least the following:

- Regulations Implementing the DD Act of 1996
- Guidelines for Quality Services
- Guidelines for Critical Incident Reporting
- Health & Wellness Guidelines
- Behavior Support Guidelines
- Individual Support Agreement Guidelines
- Background Check Policy
- Self- or Family-Management Agreement
- Endorsement and Qualifications of QDDPs
- State System of Care Plan

Agencies will use a standardized “Self- or Family-Management Agreement” with any person who wishes to self- or family-manage his/her supports. The agency will charge a \$500 fee to cover agency costs associated with their responsibilities to someone self- or family-managing. This fee does not include QDDP oversight and monitoring of the ISA for which there may be an additional cost covered under service coordination.

The ***Required Tasks – Summary*** on page three is a cross-reference checklist of tasks required for Medicaid-funded developmental services and what person or organization is responsible for each if the person is self- or family-managing his/her services. More than one category may be checked-off if there are different people or organizations responsible for different parts of a task.

The ***Required Tasks – Details***, starting on page five of this document, provides definitions and detailed information about each of the tasks and responsibilities. This is only a preliminary guide. If you want more information, contact your local developmental service provider or the Division of Developmental Services.

## REQUIRED TASKS – SUMMARY

### A Guide for People who are Self- or Family-Managing Medicaid-Funded Developmental Services

<b>Required Task</b> Please refer to the following pages for detailed information for each task.		<b>Person/Organization Responsible</b> There may be more than one person/organization responsible for a task.			
		Agency	Person	QDDP	Employer
<b>Intake/Assessment</b>	Intake Process	DA			
	Ongoing Medicaid (Health Insurance) Eligibility		X		
	Verify QDDP Qualifications	DA/SSA			
	Medicaid Waiver Eligibility Assessment	DA (initial) DA/SSA (annual)		X (from DA)	
	Annual Notification of Rights	DA/SSA			
	Full Reassessment of Eligibility for DS Services	DA/SSA			
	Initial Needs Assessment	DA			
	Funding Requests	DA			
	Authorized Funding Limit	DA/SSA			
<b>Planning and Service Provision</b>	Personal Planning Process	Service Provider (as determined by person)	X		
	Individual Support Agreement (ISA)	DA/SSA (verify ISA is present and matches up with funded areas of support)	X (development)	X (approval/ monitoring)	
	Periodic Review/Assessment of Needs	DA/SSA			
	Review & Change of ISA	DA/SSA (verify ISA is present and matches up with funded areas of support)	X (development)	X (approval/ monitoring)	
	Medicaid Billing	DA/SSA			
	Evaluations & Assessments Pertaining to Services	Service Provider (as determined by person)	X		
	Waiting List	DA			
	Applicant List	DA/SSA			
	Medical and Clinical Services	Service Provider (as determined by person)	X		
	Overall Health & Safety	DA/SSA (verify it is addressed in ISA)	X		
	Individual Case Record	DA/SSA	X		
	Behavior Support Plan	Service Provider (as determined by person)	X		

<b>Required Task</b> Please refer to the following pages for detailed information for each task.		<b>Person/Organization Responsible</b> There may be more than one person/organization responsible for a task.			
		Agency	Person	QDDP	Employer
	Critical Incident Reports	DA/SSA (oversight & reporting) Service Provider (reporting)	X (reporting to DA)		
	Complaints and Appeals	DA/SSA (notification)	X (filing)		
	Quality Assurance	DA/SSA/Service Provider	X (participating)	X (addressing needed changes)	
	Crisis Support	DA			
<b>Employer Responsibilities</b>	Job Description				X
	Reference Checks				X
	Background Checks				X (via ISO)
	Interview/Select Support Workers		X		X
	Housing Safety/Accessibility	DA/SSA			
	Training Workers	DA/SSA (notification of training opportunities)			X
	Payroll & Employer Paperwork				X
	Relationship with Intermediary Service Organization (ISO)	DA/SSA			X
	Supervise/Monitor Workers				X
	Relief Workers & Emergency Back-up Coverage		X		X
	Suspend or Terminate Workers				X
<b>System</b>	Collect & Report Data	DA/SSA (regional)	X		X
	Comprehensive Service Network	DA			



# REQUIRED TASKS - DETAILS

## A Guide for People who are Self- or Family-Managing Medicaid-Funded Developmental Services

This document clarifies the responsibilities of people who wish to self- or family-manage their services. This includes individuals who wish to manage all of their services, and families who wish to manage all of their services on behalf of their family member. The table starting on page six provides details about who is responsible for the required tasks that must be done for someone receiving Medicaid-funded developmental services (DS). The column on the left lists the required tasks. The center column lists the responsibilities of the DS agency (i.e., DA, SSA and/or service provider). The column on the right lists the responsibilities of the person who is self- or family-managing. The definitions below apply to this document.

### Definitions

Agency: The DA (Designated Agency), SSA (Specialized Service Agency) and/or person's chosen service provider.

DA: Designated Agency.

DDMHS: The Department of Developmental and Mental Health Services.

DDS: The Division of Developmental Services.

DS: Developmental Services.

Employer: The employer hires, supervises, and terminates the worker, and does other tasks related to the employer/employee relationship. The employer may be the individual, family of the individual, or the agency, and may also contract for services outside of the employer/employee relationship.

Person or Individual/Person Self- or Family Managing: Individual with a developmental disability who wishes to manage his/her services and supports or a family who wishes to manage services and supports they receive on behalf of their family member.

Person-directed or Self-directed: Providing direction by the individual to his or her services and supports. It does not require an individual to self-manage or become the employer.

QDDP: Someone who meets the state or federal definition of a Qualified Developmental Disability Professional (QDDP). A QDDP *cannot* be the individual, or the individual's spouse, domestic partner, parent, adoptive parent, stepparent, legal guardian or paid home provider. (See separate document describing qualifications for a QDDP.)

SSA: Specialized Service Agency.

Self- or Family-Management: When the person, or the person's family member, manages all of the developmental services for him or herself. A person or family member can only self- or family-manage Home Supports that do not involve tax-exempt home providers.

Service Provider: The organization, chosen by the person, who provides the individual with developmental services (may be the DA, SSA or other provider).

Service Provider-Management: The developmental service agency manages all of the developmental services for the individual or family.

Shared-Management: When the service provider manages *some* of the services for the person or family.

Workers/Support Workers: Includes both employees and contracted personnel.

## REQUIRED TASKS – DETAILS

### A Guide for People who are Self- or Family-Managing Medicaid-Funded Developmental Services

Required Tasks	Responsibility of Agency	Responsibility of Person Self- or Family-Managing
<b>INTAKE / ASSESSMENT</b>		
Intake Process	The DA is responsible for the initial screening and intake process.	The individual, or applicant if other than the individual, must provide the necessary information to the DA to complete the application process.
Ongoing Medicaid Eligibility (Health Insurance)		The individual's Medicaid eligibility needs to be monitored by the person and changes in individual's Medicaid eligibility reported to the DA.
Verify QDDP Qualifications	The DA/SSA is responsible for QDDPs who are staff of their agency. For QDDP's not associated with an agency, DDMHS verifies educational and experiential qualifications and provides an endorsement of the QDDP after verifying the QDDP understands the role of a QDDP and has sufficient familiarity with the rules and regulations. (See separate document describing QDDP qualifications.)	If the QDDP is not someone associated with an agency, the person is responsible for providing information about the QDDP to DDMHS. The person may only use a QDDP that is either associated with an agency or has received DDMHS endorsement. (See separate document describing QDDP qualifications.)
Medicaid Waiver Eligibility Assessment	The DA must do the <i>initial</i> Medicaid waiver assessment. The worker who does this must be a QDDP. DDMHS must confirm the initial waiver eligibility.  The DA/SSA must do the <i>annual</i> verification of continued Medicaid waiver eligibility. The worker who does this must be a QDDP. DDMHS must confirm the annual waiver eligibility.	
Annual Notification of Rights	The DA/SSA must notify the individual and his/her guardian at least annually of the individual's rights as a service recipient and/or of the individual's rights as someone who is on the waiting list or applicant list.	
Full Reassessment of Eligibility for DS Services	Full reassessment of eligibility for services is done by the DA/SSA when entering first grade, transitioning from high school or SRS custody (assessment	The person must participate in the reassessment process.

Required Tasks	Responsibility of Agency	Responsibility of Person Self- or Family-Managing
	of the latter must be done by the DA), or if the individual is believed to no longer have a developmental disability.	
Initial Needs Assessment	<p>The DA is responsible for conducting the initial needs assessment and notifying the individual in writing of the results.</p> <p>Information on how to appeal the DA's decision must be included with the written notice.</p>	The individual must be involved with the needs assessment process, along with other people and organizations consented to by the individual and/or his/her guardian (or applicant, if other than the individual).
Funding Requests	<p>The DA is responsible for addressing requests for new caseload funding for "new consumers" and "existing consumers" and for any requests for funding less than \$3000 for "new consumers".</p> <p>The service provider is responsible for addressing funding requests for less than \$3000 for "existing consumers".</p> <p>For further information about funding, see the <i>State System of Care Plan</i>.</p>	<p>The person must provide information to the service provider, as needed, to support a funding request.</p> <p>If the person already self-managing has a new need in a funded area that costs less than \$3,000, he/she must review his/her budget first to see if he/she can manage to shift dollars to cover the need. If not, then he/she may apply to the DA/SSA.</p>
Authorized Funding Limit (AFL) and Funded Areas of Support	<p>The DA is responsible for assigning the AFL for "new consumers". The DA/SSA is responsible for assigning the AFL for "existing consumers". The AFL is based on the approved services, including the person's share of administrative expenses, and therefore must specifically identify the funded areas of support, including goods, at the time of the ISA. The DA/SSA must provide the AFL in writing to the person.</p> <p>The DA/SSA also monitors the AFL and makes adjustments, as necessary. Approved funds for services that are no longer needed or cost less than planned revert to the DA/SSA to meet the critical need of other individuals. The DA/SSA must notify the person in writing of any change to the AFL.</p>	<p>The person or his/her guardian (if there is one), may request the AFL from the DA/SSA at any time.</p> <p>The person cannot change the AFL or the funded areas of support. Only the DA/SSA can. A person can change the distribution of funding across the funded areas of support. The person must notify the DA/SSA of any changes made within the funded areas.</p> <p>Changes in services that are no longer needed or cost less must be reported to the DA/SSA and reflected in the individual's budget.</p>
<b>PLANNING &amp; SERVICE PROVISION</b>		
Personal Planning Process	The personal planning process must be a person-centered process and may be	When self- or family-managing, the person determines the role and level of

Required Tasks	Responsibility of Agency	Responsibility of Person Self- or Family-Managing
	formal or informal. This process provides information for the creation and review of the Individual Support Agreement (ISA).	involvement of the service provider in the personal planning process.
Individual Support Agreement (ISA)	<p>(See <i>ISA Guidelines</i> for more detail on ISA requirements.)</p> <p>The DA/SSA must verify that the individual has an ISA and that it matches up with the funded areas of support.</p> <p>The agency may provide the role of the QDDP in approving and monitoring the ISA, if the person purchases that service. If this occurs, this does not translate to a shared-management situation.</p> <p>Any service provider contracted to provide services to the individual must approve the ISA.</p>	<p>(See <i>ISA Guidelines</i> for more detail on ISA requirements.)</p> <p>It is the responsibility of the individual to develop his/her ISA. The ISA must be written by, and/or from the perspective of, the individual. Others, as chosen by the individual, may be involved in the development of the ISA.</p> <p>The individual's personalized budget, based on funded areas of support in the AFL, is created as part of the ISA. The individual (and guardian if there is one) must approve the ISA. A QDDP must also approve and monitor the ISA to ensure its implementation and documentation. The person must arrange for the QDDP when self- or family-managing, which may be done by contracting with the DA/SSA or hiring someone privately. If this occurs, this does not translate to a shared-management situation.</p>
Periodic Review/ Assessment of Needs	The DA/SSA must conduct a reassessment of needs at least annually.	The individual must be involved with the assessment process, along with other people and organizations consented to by the individual and/or his/her guardian.
Review & Change of ISA	<p>(See <i>ISA Guidelines</i> for more detail on ISA requirements.)</p> <p>The DA/SSA must verify that the ISA has been reviewed and changed, as required, and that the ISA matches up with the funded area(s) of support.</p> <p>The agency may provide the role of the QDDP in approving and monitoring the ISA and assuring the ISA guidelines are followed, if the person purchases that service.</p> <p>Any service provider contracted to provide services must approve any changes to the ISA.</p>	<p>(See <i>ISA Guidelines</i> for more detail on ISA requirements.)</p> <p>It is the responsibility of the individual to review and change his/her ISA as required. Others, as chosen by the individual, may be involved in the review and change of the ISA.</p> <p>The individual (and guardian if there is one) must approve any changes. A QDDP must also review the ISA and periodic documentation and approve any changes.</p>

Required Tasks	Responsibility of Agency	Responsibility of Person Self- or Family-Managing
Medicaid Billing	DDS Medicaid funding must go through a DA/SSA as the authorized Medicaid billing agent.	Medicaid funding cannot be sent/paid directly to the individual, or the individual's spouse, domestic partner, civil union partner, parent, adoptive parent, stepparent or legal guardian. Authorized funding goes from the DA/SSA to an ISO to reimburse payroll/expenses.
Evaluations & Assessments Pertaining to Services	The service provider, if identified as the entity responsible in the ISA, must obtain any evaluations or assessments identified as needed in the ISA.	The person, or whoever is identified as the entity responsible in the ISA (e.g., the service provider, QDDP), must obtain any evaluations or assessments identified as needed in the ISA.
Waiting List	<p>The DA must maintain a waiting list of supports requested by an individual eligible for services <i>and</i> eligible under existing funding priorities (i.e., individual meets State System of Care Plan funding priorities), but whose request for services is denied in whole or in part due to lack of funds.</p> <p>The DA must review its waiting list at least annually.</p>	If a person on a waiting list for services experiences a significant change in his/her life situation, the person may contact the DA to request a reassessment of his/her need for funding.
Applicant List	<p>The DA/SSA must maintain an applicant list of supports requested by an individual eligible for services, but not eligible for funding (i.e., individual does <i>not</i> meet State System of Care Plan funding priorities), and whose request for services is denied in whole or in part.</p> <p>The DA/SSA must review the applicant list at least annually.</p>	If a person who is on an applicant list experiences a significant change in his/her life situation, the person may contact the DA/SSA to request a reassessment of his/her need for funding.
Medical and Clinical Services	(See <i>Health &amp; Wellness Guidelines</i> .)	<p>(See <i>Health &amp; Wellness Guidelines</i>.)</p> <p>For a person self- or family-managing, the person must ensure compliance with DDS <i>Health &amp; Wellness Guidelines</i>.</p> <p>The QDDP may or may not coordinate medical and clinical services.</p>
Overall Health & Safety	The DA/SSA must verify that the individual's ISA addresses any known health and safety concerns as identified in the individual's needs assessment.	The person must be responsible for monitoring his/her overall health and safety. This includes taking or authorizing action in order to help keep himself/herself healthy and safe.

Required Tasks	Responsibility of Agency	Responsibility of Person Self- or Family-Managing
		The person needs to address health and safety in his/her ISA, as required by the <i>ISA Guidelines</i> and the <i>Health and Wellness Guidelines</i> .
Individual Case Record	<p>The service provider must establish and maintain a complete individual case record.</p> <p>The DA/SSA must keep a “<i>minimally required</i>” case record for anyone self- or family-managing (see list in right-hand column). The DA may need to take an active role in assuring the person provides them with his/her case record, and that it is updated as needed. The DA/SSA will assist the person or family in understanding the requirements for a complete case record.</p>	<p>The person must establish and maintain a complete and up-to-date individual case record, as required. The DA/SSA will assist with providing technical assistance.</p> <p>The person must provide the following documents to the DA/SSA unless originated by the DA/SSA:</p> <ol style="list-style-type: none"> <li>1. Emergency Fact Sheet</li> <li>2. Guardianship documentation</li> <li>3. Assessments/evaluations supporting eligibility</li> <li>4. Needs assessment</li> <li>5. ISA and all component parts, reviews &amp; changes.</li> <li>6. Critical Incident Reports</li> </ol>
Behavior Support Plan and Other Plans (e.g., Communication, etc.)	(See <i>Behavior Support Guidelines</i> .)	<p>(See <i>Behavior Support Guidelines</i>.)</p> <p>The person must arrange to have these plans developed and implemented, if it is deemed necessary in the ISA, by someone with the necessary skills and training. The person may contract with a service provider to arrange for the development of these plans. Some plans with restrictions may need to be approved by the DA/SSA’s internal review committee and reviewed by the State’s Human Rights Committee.</p>
Critical Incident Reports (CIR)	<p>(See <i>Critical Incident Report Guidelines</i>.)</p> <p>The DA/SSA must review and provide oversight of all CIRs and report to DDS.</p> <p>The service provider must report all known critical incidents to DDS, as required.</p>	<p>(See <i>Critical Incident Report Guidelines</i>.)</p> <p>The person must report all CIRs to the DA/SSA within the timeframe required by DDS policy. The person must follow-up on CIRs as required. The QDDP must review and sign off on all CIRs.</p>
Complaints and Appeals	<p>(See <i>Complaint &amp; Appeals Regulation</i> and clarifying brochure &amp; accompanying videotapes.)</p> <p>The DA/SSA must notify the person of his/her right to file a complaint and appeal an agency decision. The DA/SSA</p>	<p>(See <i>Complaint &amp; Appeals Regulation</i> and clarifying brochure &amp; accompanying videotapes.)</p> <p>The person is responsible for filing complaints and appeals. The person may have someone assist him/her with filing a</p>

Required Tasks	Responsibility of Agency	Responsibility of Person Self- or Family-Managing
	must receive and respond to people who file complaints and appeals.	complaint or an appeal. A “next friend” can also file a complaint or an appeal for the person.
Crisis Support	<p>The DA is responsible for providing or arranging for crisis response services for any eligible individual in the region.</p> <p>The SSA is responsible to provide crisis supports for people they serve.</p> <p>The DA/SSA is responsible for working with DDMHS gatekeeper for access to the Vermont Crisis Intervention Network (VCIN), the statewide crisis network.</p>	The person needs to try to anticipate and plan for situations in order to avoid crises. Follow-up to any personal crisis situation is the responsibility of the person. The responsibility for arranging relief workers & emergency back-up coverage is that of the person and is not the responsibility of DA/SSA’s Crisis Supports (see <i>Relief Workers &amp; Emergency Back-up Coverage</i> on page 13).
Quality Assurance (QA)	<p>The DA has the responsibility to assess regional outcomes, monitor performance and report it to DDMHS.</p> <p>The DA/SSA must monitor and act upon information about the person’s satisfaction.</p> <p>The DA/SSA has a responsibility to verify that the person who is self- or family-managing is able to comply with all the necessary components of service provision.</p>	<p>The person and others providing support must take part in the DDS quality review process and in making any changes required by that process. Additional QA activities in which the person or others may participate include consumer surveys, family surveys and QA activities conducted by the service provider.</p> <p>The person self- or family-managing is responsible to comply with required policies and guidelines. Failure to do so may impact on the person’s ability to self- or family-manage their supports.</p>
<b>EMPLOYER RESPONSIBILITY<sup>1</sup></b>		
Job Description		The employer is responsible for writing the job description for support workers he/she hires. Others may assist the employer to write a job description and/or recruit potential support workers.
Reference Checks		The employer is responsible for conducting reference checks.
Background Checks	<p>(See <i>Background Check Policy</i>.)</p> <p>The DA/SSA is responsible for conducting the abuse, criminal and motor vehicle background checks for contracted home providers. The DA/SSA will receive verification from the ISO that background checks have</p>	<p>(See <i>Background Check Policy</i>.)</p> <p>The employer must request that the ISO conduct background checks for anyone who will be paid with DDS funds to provide direct supports. The employer is responsible for using the information from the background checks when</p>

<sup>1</sup> “Employer responsibility” does not include that of contacted home providers. It is the DA/SSA’s responsibility to determine contractual terms of agreement with contracted home providers.

<b>Required Tasks</b>	<b>Responsibility of Agency</b>	<b>Responsibility of Person Self- or Family-Managing</b>
	been completed for other employees hired by the individual.	making hiring or contracting decisions in accordance with the <i>DDS Background Check Policy</i> .
Interview and Select Support Workers	The DA/SSA is responsible for interviewing, selecting and contracting with shared living home providers. The DA/SSA will include the person in the interviewing and selection process.	The employer is responsible for interviewing, selecting and hiring support workers <sup>2</sup> . The individual, if not the employer, should be part of the interview and selection process.
Housing Safety/ Accessibility	The DA/SSA notifies the person self- or family-managing of his/her responsibilities to inform the DA/SSA when the individual moves. The DA/SSA is responsible for arranging for, and following-up with the person regarding housing safety/accessibility checks when they learn an individual getting home supports has moved.	The person needs to notify the DA/SSA when the individual moves to a new home and request a home safety/ accessibility inspection when self- or family-managing home supports. The person needs to cooperate with the housing safety/accessibility checks arranged for by the DA/SSA and ensure all necessary changes are made and reported to the DA/SSA as being completed.
Training Workers	The DA/SSA must make DDS-required training (i.e., pre-service & in-service) available to support workers at no fee.	The employer must provide or arrange for training for all support workers, including job and person-specific information. This includes DDS training requirements for pre-service and in-service, such as mandatory abuse reporting and universal precautions.
Payroll & Employer Paperwork		The employer has the responsibility to complete or provide the information for paperwork related to payroll and other employer responsibilities <sup>3</sup> .  An Intermediary Service Organization (ISO) will help the person fulfill these responsibilities when self- or family-managing services.
Relationship with Intermediary Service Organization (ISO)	The DA/SSA is expected to have someone be a liaison with the ISO for information sharing and as a local resource for people who are self- or family-managing or interested in self- or	It is expected that the employer will be in direct contact with the ISO if there are questions or concerns about the person's circumstance. The employer may also use the DA/SSA ISO liaison as a source

<sup>2</sup> A person or family member can only self- or family-manage Home Supports that do not involve tax-exempt home providers.

<sup>3</sup> Payroll/paperwork responsibilities regard, minimally, the following: Worker Compensation, Unemployment Insurance, IRS, FICA & FUTA/SUTA, and Immigration Law. Additional considerations include: employee benefits (e.g., sick time, vacation time, health and dental coverage, retirement, life insurance) and other liability issues (e.g., personal and property insurance, professional insurance).



<b>Required Tasks</b>	<b>Responsibility of Agency</b>	<b>Responsibility of Person Self- or Family-Managing</b>
	family-managing.	of information.
Supervise/Monitor Workers		The employer must monitor, supervise, evaluate and support his/her employees.
Relief Workers & Emergency Back-up Coverage		<p>The person must develop and implement an individual emergency back-up plan.</p> <p>The employer is responsible for arranging for relief workers and emergency back-up coverage. This includes making sure temporary workers are adequately trained and informed about the specific needs of the individual and job.</p>
Suspend/Terminate Workers	The DA/SSA is responsible to suspend or terminate contracted home providers.	The employer is responsible to suspend or terminate support workers.
<b>SYSTEM REPORTING</b>		
Collect & Report Data	The DA/SSA must collect initial and any change in demographic data for people who are self- or family-managing and report it to DDMHS. The DA/SSA must report Client ID and Clinic ID to the ISO.	<p>The person must report initial and any change in demographic (e.g., name, address, marital status, etc.) data to the DA/SSA.</p> <p>The ISO must report the person's service and financial data to the DA/SSA and DDMHS on behalf of the employer. Timesheets with appropriate service codes and number of hours must be filled out correctly and submitted to the ISO in a timely manner.</p>

03/22/04



# **AGREEMENT FOR SELF- OR FAMILY-MANAGEMENT OF DEVELOPMENTAL SERVICES**

## **PURPOSE:**

The purpose of this agreement is to specifically define responsibilities between [insert DA/SSA] (hereafter called “the DA/SSA”) and [insert name of person/family] (hereafter called “the person/family”) who has elected to manage developmental services and supports on behalf of himself/herself / [insert name of person] (choose one). This agreement is designed to promote individual autonomy to the maximum extent possible and follow the principles and requirements of the developmental service system.

## **AGREEMENT PERIOD:**

The term of this agreement shall be from [insert start date] to [insert end date].

## **TERMS:**

The DA/SSA and the person/family agree to follow the roles and responsibilities outlined in Attachment A: *A Guide for People who are Self- or Family-Managing Medicaid-Funded Developmental Services* (see Attachment A).

The person/family must comply with the requirements outlined in the follow attachments (see Attachments B – J). The DA/SSA is responsible to provide any updates or clarifications issued by the State to the person or family:

- Attachment B: Regulations Implementing the DD Act of 1996
- Attachment C: Guidelines for Quality Services
- Attachment D: Guidelines for Critical Incident Reporting
- Attachment E: Health & Wellness Guidelines
- Attachment F: Behavior Support Guidelines
- Attachment G: Individual Support Agreement Guidelines
- Attachment H: Background Check Policy
- Attachment I: Endorsement and Qualifications of QDDPs
- Attachment J: State System of Care Plan

The DA/SSA will charge the person/family a fee of \$500 to cover the DA’s/SSA’s costs associated with the DA’s/SSA’s responsibilities to someone self- or family-managing. This fee does not include Qualified Developmental Disability Professional (QDDP) oversight and monitoring of the ISA for which there will be an additional cost.

**QDDP RESPONSIBILITIES:**

The DA/SSA will / will not (choose one) provide the person/family with QDDP oversight. Conditions of QDDP oversight (if any):

- QDDP services provided by the DA/SSA include \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- The QDDP services will be provided at a cost of:  
\_\_\_\_\_  
\_\_\_\_\_

Unless the person/family is contracting with the DA/SSA, all independent contractors or employees of the person/family are not considered contractors or employees of the DA/SSA in regard to the DA'S/SSA's work with the person/family. The DA/SSA shall not provide any contractors or employees of the person/family with any benefits or services including, but not limited to, federal and/or state withholding, health insurance, retirement benefits, life insurance, disability compensation or insurance, family compensation benefits and/or insurance.

**TERMINATION:**

Either the DA/SSA or the person/family may terminate this agreement upon thirty 30 days written notice to the other party.

If the person/family is not able to do the tasks listed in Attachment A or arrange for them to be completed, and therefore is not able to self- or family-manage his/her services, it is the ultimate responsibility of the DA/SSA to assure that the tasks get done as required. The DA/SSA may need to terminate this agreement, and the DA/SSA may need to determine that the person or family can no longer self- or family-manage services. If this happens, the DA or SSA will manage services when self- or family-management jeopardizes the person's health and welfare; necessary funded services are not able to be arranged or provided; or required developmental services policies, regulations and guidelines are not followed. The DA's/SSA's decision to manage services may be appealed to the Director of the Division of Developmental Services.

**SIGNATURES:**

\_\_\_\_\_  
DA/SSA Executive or DS Director

\_\_\_\_\_  
Person/Family Managing Services

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



# Vermont Division of Developmental Services

## QUALIFIED DEVELOPMENTAL DISABILITY PROFESSIONALS

### Definition, Qualifications and Roles

#### **Introduction**

To perform the roles and responsibilities of a Qualified Developmental Disabilities Professional (QDDP) in Vermont (either paid or unpaid) an individual must meet either the federal or state definition of a QDDP and the additional qualifications outlined below. Qualified Developmental Disabilities Professionals may either work for designated or specialized service agencies or act independently being hired or contracted by individuals with developmental disabilities and/or their family members.

#### **Determination of QDDP Status**

Designated agencies and specialized service agencies are responsible for ensuring that their staff meet the appropriate QDDP definition and additional qualifications. As such, these agencies are responsible for relevant training and supervision.

The Division of Developmental Services must endorse individuals fulfilling the responsibilities of a QDDP who are not employed by a designated agency or specialized service agency (see independent QDDP endorsement process). These individuals may be self-employed, working for an individual with developmental disabilities or family member, or may be an employee or contractor of a provider that is not a DA or SSA.

#### **Federal Definition**

A Qualified Developmental Disabilities Professional is defined in federal rule as a person who has a least one year of experience working directly with people with mental retardation or other developmental disability and is one of the following:

- A licensed doctor of medicine or osteopathy;
- A registered nurse;
- An individual that holds at least a bachelor's degree in a professional category who is licensed, certified, or registered, as applicable, to provide professional services by the State of Vermont; or,
- Professional program staff who do not fall under the jurisdiction of the state for licensure, certification, or registration, must meet the following qualifications:
  - Occupational therapist eligible for certification as an occupational therapist of the American Occupational Therapy Association or other comparable body;
  - Occupational therapy assistant eligible for certification as a certified occupational therapy assistant by the American Occupational Therapy Association or other comparable body;

- Physical Therapist eligible for certification as a certified physical therapy assistant by the American Physical Therapy Association or other comparable body;
- Physical Therapist assistant eligible for certification as a certified physical therapy assistant by the American Physical Therapy Association or a graduate of a two year college-level program approved by the American Physical Therapy Association or other comparable body;
- Psychologist who maintains at least a master's degree in psychology from an accredited school;
- Social worker with a graduate degree from a school of social work accredited or approved by the Council on Social Work Education or other comparable body; OR with a bachelor of social work degree from a college or university accredited or approved by the Council on Social Work Education or other comparable body;
- Speech-language pathologist or audiologist who is eligible for a certification in Speech-Language Pathology or Audiology OR who meets the educational requirements for certification and is in the process of accumulating the supervised experience required for certification;
- Professional recreational staff with a bachelor's degree in recreation or in a specialty such as art, dance, music, or physical education.
- Professional dietician who is eligible for registration by the American Dietetics Association; or,
- Designated human services professional who has at least a bachelor's degree in a human services field including, but not limited to: sociology, special education, rehabilitation counseling and psychology.

### **Vermont Definition**

In order to be recognized in Vermont as a Qualified Developmental Disabilities Professional, an individual must meet the federal definition above, OR:

- Have a high school diploma or GED and:
  - A minimum of six years of experience of working directly with people with mental retardation or other developmental disabilities at least two of which are paid work performing QDDP responsibilities under the supervision of a QDDP.

### **Additional Qualifications**

All individuals performing QDDP responsibilities in Vermont in addition to meeting the definitions noted above must also have knowledge of the following:

- Developmental Disabilities Act of 1996 and the Regulations Implementing the DD Act of 1996
- Individual Support Agreement Guidelines; person-centered planning

- Quality Services Guidelines including all accompanying guidelines (such as, Health and Wellness Guidelines, Critical Incident Reporting Guidelines, Behavior Support Guidelines, etc.)
- Abuse Reporting – Adult Protective Services (adults) Child and Family Services (children)
- Pre-Service and In-Service Training (outlined in the Regulations Implementing the DD Act of 1996)
- Knowledge of Funding Systems (e.g., System of Care Plan, simple budgeting, etc.)
- ISOs (Payroll and Tax Services); Employer Responsibilities
- Initial Needs Assessment and Periodic Review of Needs
- Service Definitions and Goods and Services Authorized Funding Limits
- Acceptable uses of Medicaid funds
- DDS Background Check Policy
- Roles and Responsibilities of Individuals Managing Their Services and Agency Roles and Responsibilities
- Situations that may create a conflict of interest
- Resources to get needed information

### **Required Roles of a QDDP**

According to the agreement the State of Vermont has with the federal government concerning Medicaid home and community-based waiver services, as well as other state guidelines, a Qualified Developmental Disability Professional has some specific roles in the Vermont service system for people with developmental disabilities. These specific roles are outlined below:

Required Task	Comments
Medicaid waiver initial eligibility assessment	Must be done by a QDDP employed by a designated agency.
Medicaid waiver annual eligibility assessment	Must be done by a QDDP employed by a designated agency or specialized service agency.
Approve and monitor ISA	QDDP is responsible for assuring that the ISA is developed in accordance with the ISA Guidelines. QDDP is responsible for ensuring that the ISA is being carried out, and is meeting the intended needs of the individual.
Review and change of ISA	QDDP is responsible for approval of any changes and formal review of the ISA according to the ISA Guidelines.
Quality assurance	QDDP is responsible for assuring that the services/supports are meeting the person's needs in accordance with Division regulations and guidelines.

### **Exclusions for a QDDP**

A QDDP cannot be the individual, or the individual's spouse, domestic partner, civil union partner, parent, adoptive parent, step-parent, legal guardian or paid home provider.





## Vermont Division of Developmental Services

### ***ENDORSEMENT OF INDIVIDUALS ACTING INDEPENDENTLY AS QUALIFIED DEVELOPMENTAL DISABILITY PROFESSIONALS***

#### **Introduction**

In Vermont's developmental services system, a Qualified Developmental Disabilities Professional (QDDP) may work for a provider agency or may work as an independent QDDP hired directly by individuals who are self-managing or family-managing their services or by a provider agency that is not a DA or SSA.

An endorsement from the Vermont Division of Developmental Services (DDS) is required for all QDDPs who are not employed by a designated or specialized service agency. Through this endorsement, DDS will insure that individuals acting as independent QDDPs and those working for other provider agencies will have the qualifications required to be a QDDP; will have an understanding of the roles and responsibilities of a QDDP; will have a base of knowledge about the Vermont developmental service system; and will have an understanding of the state and federal rules and regulations governing services and supports to Vermonters with developmental disabilities.

The endorsement process will also enable the creation and maintenance of a registry of independent QDDPs. This will allow DDS to contact independent QDDPs to provide information on new regulations, policy changes, training opportunities and other relevant information, as well as provide individuals with disabilities and families information about the availability of independent QDDPs.

#### **Endorsement Process**

Individuals seeking endorsement from the Division of Developmental Services will be required to meet the educational and experiential qualifications of the federal or Vermont definition of a QDDP. This will be verified through the submission of an application packet and a process to assess the individual's knowledge about the role of a QDDP and the Vermont service system for people with developmental disabilities.

#### **Application Packet:**

1. A detailed resume; the resume needs to be specific and provide dates of relevant experience and/or education.
2. Relevant contact information (e.g., phone number, names, e-mail addresses) for work experiences must also be included.
3. A cover letter providing any additional information that the applicant may consider relevant for consideration.

**Knowledge Assessment:** After DDS staff have determined that educational and experiential qualifications are met, an individual will be provided with a series of questions that will be answered using the appropriate resources (e.g., ISA Guidelines, DD Act Regulations, etc.) as necessary. This assessment will also include a case study that

asks what the individual's response might be as the QDDP. The purpose of this process is to assess the applicant's familiarity and knowledge of relevant information concerning the roles and responsibilities of a QDDP. An individual is expected to have familiarity with the following information. The degree of familiarity may vary, and emphasis is placed on information directly affecting the quality of services and supports for people with developmental disabilities:

- Developmental Disabilities Act of 1996 and the Regulations Implementing the DD Act of 1996
- Individual Support Guidelines; person-centered planning
- Quality Services Guidelines including all accompanying guidelines (such as, Health and Wellness Guidelines, Critical Incident Reporting Guidelines, Behavior Support Guidelines, etc.)
- Abuse Reporting – Adult Protective Services (adults) & Social and Rehabilitation Services (children)
- Pre-Service and In-Service Training (outlined in the Regulations Implementing the DD Act of 1996)
- Knowledge of Funding Systems (e.g., System of Care Plan, simple budgeting, etc.)
- ISOs (Payroll and Tax Services); Employer Responsibilities
- Initial Needs Assessment and Periodic Review of Needs
- Service Definitions and Goods and Services Authorized Funding Limits
- Acceptable uses of Medicaid funds
- DDS Background Check Policy
- Roles and Responsibilities of Individuals Managing Their Services and Agency Roles and Responsibilities
- Situations that may create a conflict of interest
- Resources to get needed information

The Division of Developmental Services will make applicable information available to individuals seeking QDDP endorsement by providing a packet of information for his/her review at the time of initial application.

### **QDDP Endorsement**

Upon successful completion of the qualification and assessment of knowledge process, the Division of Developmental Services will issue an endorsement to the individual stating that they may act as an Independent QDDP within the State of Vermont.

An individual's endorsement is valid indefinitely; however, if there is evidence that a person does not understand or pursue his/her role as an Independent QDDP in an appropriate manner, DDS may revoke the person's endorsement.

If an individual does not successfully complete the review process or has his/her endorsement revoked, he/she will receive a letter stating what areas of knowledge need further review and what training or other action is needed, if applicable. An individual may reschedule an assessment of his/her knowledge after completing any required action.